



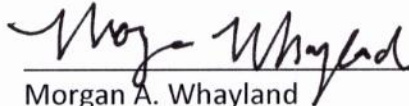
To the Honorable Council
City of Norfolk, Virginia

July 19, 2016

From: Sheriff Robert J. McCabe

Subject: Special Revenue Appropriations
for the Sheriff's Classification Specialists

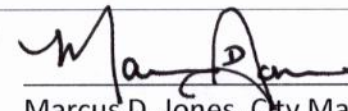
Reviewed:


Morgan A. Whayland

Assistant to the City Manager

Ward/Superward: Citywide

Approved:


Marcus D. Jones, City Manager

Item Number:

R-9

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** Norfolk Sheriff's Office

III. **Description:**

This agenda item is an ordinance appropriating funds in the amount of \$178,600 from the Inmate Commissary Account to provide salary and benefits for three (3) full-time Inmate Classification Specialists in the Norfolk City Jail.

IV. **Analysis**

This is a continuation project involving the Inmate Classification Specialists as recommended by the Sheriff. The ordinance appropriates \$178,600, if and when available in the Inmate Commissary Account, for the Sheriff to employ three full-time Inmate Classification Specialists as recommended by the Sheriff. These employees are not City employees.

The funds for these positions are derived from the net profits of the operation of the Norfolk City Jail Canteen, which the Sheriff is authorized to use for the benefits of prisoners. These employees provide intake, case management and classification services for the benefit of the inmates in the Norfolk City Jail.

V. **Financial Impact**

There is no fiscal impact to the Sheriff's allocated budget.

VI. **Environmental**

N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter and ordinance have been coordinated with the Norfolk Sheriff's Office and the City Attorney's Office.

Supporting Material from the Sheriff's Department:

- Ordinance

6/15/2016 JEC/11

Form and Correctness Approved: *2AP*

By *Jack E. Clout*
Office of the City Attorney

Contents Approved:

By *Robert J. McLean*
DEPT. Sheriff

NORFOLK, VIRGINIA

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

501 \$ *178,600⁰⁰* *2215-6-8618-9145*
Christina Sanchez Account
Director of Finance 6/23/16
Date

ORDINANCE No.

AN ORDINANCE APPROPRIATING ONE HUNDRED SEVENTY EIGHT THOUSAND SIX HUNDRED DOLLARS (\$178,600) IF AND WHEN RECEIVED FROM THE SHERIFF AND AUTHORIZING THE EXPENDITURE THEREOF TOWARDS SALARIES AND BENEFITS FOR THREE SHERIFF EMPLOYEES.

- - -

WHEREAS, the Sheriff of the City of Norfolk, Virginia desires to continue to employ during fiscal year 2017 three (3) persons as Inmate Classification Specialists, said positions having been previously created and filled by the Sheriff for service in the Jail during earlier fiscal years; and

WHEREAS, "Inmate Classification Specialist" is an employee classification previously created by the Sheriff, the salary and benefits of which (including retirement through the Virginia Retirement System) were previously established by the Sheriff; and

WHEREAS, the Sheriff is authorized by Virginia Code Section 53.1-127.1 to use funds from his Inmate Commissary Account for the benefit of prisoners; and it has been represented by the Sheriff that funds of at least One Hundred

Seventy Eight Thousand Six Hundred Dollars (\$178,600.00) exists within that account and are therefore available to be disbursed through the City's Department of Finance in the same manner as the funds for the salaries and benefits of other employees of the Sheriff; and

WHEREAS, the positions the Sheriff created are not City positions and the employees appointed to them are not City employees and do not have the rights or benefits accruing to City employment; and

WHEREAS, the Sheriff created the positions and appointed the employees and any rights they may have pursuant to their appointment, such as membership in the Virginia Retirement System, only accrue from the Sheriff's lawful action and their status as Sheriff's employees; and

WHEREAS, no part of the funding of their salaries or benefits will be provided by the City; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the sum of One Hundred Seventy Eight Thousand Six Hundred Dollars (\$178,600.00) is hereby appropriated and authorized to be expended, if and when received by the City from the Sheriff in the form of Inmate Commissary Account funds, toward the continued funding of the salaries and benefits of three (3) employees for the Sheriff in positions created by the Sheriff titled Inmate Classification Specialist.

Section 2:- That such positions are not City positions, they are constitutional officer positions created by the Sheriff; that the assignment of City class titles, position numbers and similar designations

to them is for administrative purposes only; that the persons the Sheriff appoints into these positions are not City employees; and that their rights to salaries and benefits, such as membership in the Virginia Retirement System, are as may be lawfully determined by the Sheriff, the State Compensation Board and the laws of the Commonwealth of Virginia.

Section 3:- That this ordinance shall be in effect from and after the date of its adoption.

NORFOLK SHERIFF'S OFFICE		SR #		
CLASSIFICATION OFFICE		ORIDANCE #		
TITLE: CLASSIFICATION SPECIALISTS				
FY 16 BUDGET				
OBJECT	DESCRIPTION			
CODE				
5110	SALARIES	132,285		
5140	F.I.C.A.	10,119		
5142	HOSPITALIZATION	16,995		
5148	GROUP LIFE INSURANCE	3,685		
5150	RETIREMENT	15,516		
	TOTAL EXPENSES	178,600		

**NORFOLK SHERIFF'S OFFICE
CLASSIFICATION DIVISION
FY 17 PAYROLL BUDGET**

TITLE: CLASSIFICATION

			5110	5140	5142	5150	5148
LAST NAME	FIRST NAME	CP#	SALARY	F.I.C.A.	INSURANCE	RETIREMENT	GROUP
Williams	Alan	8446	46,972	3,593	5,665	5,509	1,310
Doyle	William	8447	44,736	3,422	5,665	5,247	1,248
McClam,	Edom	9611	40,577	3,104	5,665	4,760	1,127
TOTAL PR & FRINGES			132,285	10,119	16,995	15,516	3,685
ROUND TO NEAREST \$ 500							